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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/020,365	10/30/2001	Sambedu Venkatesh	17652-00013	2718
7590	10/17/2005			
John S. Beulick Armstrong Teasdale LLP Suite 2600 One Metropolitan Sq. St. Louis, MO 63102				EXAMINER COBY, FRANTZ
				ART UNIT 2161
				PAPER NUMBER DATE MAILED: 10/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/020,365	VENKATESH ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Frantz Coby	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 30 October 2001.

2a) This action is FINAL.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 1-44 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-44 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 02-12-02; 02-15-02.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

This is in response to application filed on October 30, 2001 in which claims 1-44 are presented for examination.

**Status of Claims**

Claims 1-44 are pending.

***Information Disclosure Statement***

The information disclosure statement filed February 12 and 15, 2002 are in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. They have been placed in the application file and the information referred to therein has been considered as to the merits.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Grewal et al. U.S. Patent no. 6,691,159.

As per claims 1, and 18, Grewal et al. disclose "a method for providing expert information from a pool of experts using a server system coupled to a centralized database and at least one client system, said method comprising the steps of: displaying information on the client system paths for assistance to the user; identifying alternative receiving a request from the client system based on an alternative path selected by the user; accessing the database within the server system comprising a pool of experts, the database storing expert information relating to each expert in the pool of experts; cross-referencing user information with expert information; displaying expert information including expert availability information on the client system through an applet downloaded from the server system when a user calls upon an expert to seek assistance, and contacting the expert based on user selected expert information inputted into the client system" by providing Web-based method and system for providing assistance to computer users (See Grewal et al. Title). The system of Grewal et al. provides users of the computer system with education, information and computer assisted help on a specific subject, problem or a project. The system further offers flexibility in providing direct human interaction by linking group of experts

through a web site. For a specific subject, the invention provides two distinct paths to the user an Education Path and an Expert Assistance Path. Both of these distinct paths offer various alternatives to resolve the user's issues. Under Education Path, the user can obtain information from global sources, receive organized product information or obtain information on training, schedule and cost. Under Expert Assistance Path, the user can interact with an expert or a group of experts. The invention further provides the user an opportunity to contact an expert through direct e-mail link, or to chat on-line with an expert. The system is capable of brokering phone call assistance to the user at user's request. The system takes into account available resources and key utilization metrics pre-established for the system's efficient performance (See Grewal et al. Abstract; Figures 4-7 and corresponding text; Col. 1, lines 39-59).

As per claims 2-17 and 19-44, these claims are least rejected for their dependencies, directly or indirectly, on the rejected claims 1 and 18 above. They are therefore rejected as set forth above.

Claims 1-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Walker et al. U.S. Patent no. 5,862,223.

As per claims 1, and 18, Walker et al. disclose "a method for providing expert information from a pool of experts using a server system coupled to a centralized database and at least one client system, said method comprising the steps of:

displaying information on the client system paths for assistance to the user; identifying alternative receiving a request from the client system based on an alternative path selected by the user; accessing the database within the server system comprising a pool of experts, the database storing expert information relating to each expert in the pool of experts; cross-referencing user information with expert information; displaying expert information including expert availability information on the client system through an applet downloaded from the server system when a user calls upon an expert to seek assistance, and contacting the expert based on user selected expert information inputted into the client system" by providing a method and apparatus for a cryptographically-assisted commercial network system designed to facilitate and support expert-based commerce (See Walker et al. Title). The system of Walker et al. provides an expert matching method and apparatus for managing communications between an expert having particular qualifications and an end user seeking a solution to an expert request. In a preferred embodiment, the apparatus of the present invention includes a controller having a database for storing expert qualifications. In one embodiment, the controller receives an expert request. A search program identifies experts qualified to respond to the expert request. The expert request is then transmitted to the expert, which results in an expert answer transmitted to and received by the central controller. After authentication of the expert answer, using a wide range of security levels from passwords to cryptography, the answer is forwarded to the end user. The method and apparatus of the present invention have applications on the

Internet as well as conventional voice telephony systems (See Walker et al. Abstract; Col. 6, line 56-Col. 11, line 10).

As per claims 2-17 and 19-44, these claims are least rejected for their dependencies, directly or indirectly, on the rejected claims 1 and 18 above. They are therefore rejected as set forth above.

Claims 1-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Grewal et al. U.S. Patent no. 6,829,585.

As per claims 1, and 18, Walker et al. disclose "a method for providing expert information from a pool of experts using a server system coupled to a centralized database and at least one client system, said method comprising the steps of: displaying information on the client system paths for assistance to the user; identifying alternative receiving a request from the client system based on an alternative path selected by the user; accessing the database within the server system comprising a pool of experts, the database storing expert information relating to each expert in the pool of experts; cross-referencing user information with expert information; displaying expert information including expert availability information on the client system through an applet downloaded from the server system when a user calls upon an expert to seek assistance, and contacting the expert based on user selected expert information inputted into the client system" by providing a Web-based method and system for

indicating expert availability (See Grewal et al. Title). The system of Grewal et al. provides an expert availability system provides an integrated approach to providing users of a computer system with assisted help on a specific subject, problem or project as well as indicating expert availability and queue statistics through a graphical applet. The system further offers flexibility in providing direct human interaction by linking a group of experts through a web site. For a specific subject, the system provides two distinct paths to the user, an Education Path and an Expert Assistance Path. The system further provides the user an opportunity to contact an expert through a direct e-mail link, or to chat on-line with an expert and to obtain phone call assistance at the user's request (See Grewal Abstract; Figures 2-7 and corresponding text; Col. 1, lines 39-62).

As per claims 2-17 and 19-44, these claims are least rejected for their dependencies, directly or indirectly, on the rejected claims 1 and 18 above. They are therefore rejected as set forth above.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz Coby whose telephone number is 571 272 4017. The examiner can normally be reached on Monday-Saturday 3:00PM-10:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571 272 4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 15, 2005

  
FRANTZ COBY  
PRIMARY EXAMINER